

REMARKS

This is intended to be a complete response to the Official Action mailed August 31, 2004, in which claims 24, 37, 49 and 62 were withdrawn from consideration as being directed to a non-elected invention, claims 11-19, 22, 23, 25-26 were allowed, claims 38, 43, 44, 46, 50, 55 and 57-59 were rejected and claims 39-42, 44, 47, 48, 51-54, 56, 60 and 61 were objected to. Applicants have amended claims 11, 12, 16, 17, 22, 25-26, 30-31, 34 and 36 herein. Claims 24 and 37-62 have been cancelled without prejudice. New claims 63-76 have been added.

The withdrawn claims have been cancelled without prejudice. The rejected claims have been cancelled without prejudice. The objected to claims have been cancelled without prejudice and have been replaced with new claims 63-76 as explained further below.

Claims 11, 12, 16, 17, 22, 25-26, 30-31, 34 and 36 have been amended to clarify the language therein.

Rejection Under §35 U.S.C. 102(e)

Claims 38, 43, 45, 46, 50, 55 and 57-59 stand rejected under 35 U.S.C. 102(e) as being anticipated by Dai et al. 6401526.

In the official action it is stated:

"The reference teaches in columns 4-5 making SWNTs by deposition of methane on a iron on silica catalyst."

Applicants respectfully traverse the rejection on the basis that the Dai et al. patent does not teach a method as presently claimed. However, applicants herein cancel the rejected claims without prejudice in the interest of advancing the prosecution of the application. In view of the above, applicants respectfully request reconsideration and withdrawal of the rejection under §102(e).

New Claims

New claims 63-76 are filed herewith as independent substitutes for the "objected to" dependent claims 39-42, 44, 47, 48, 51-54, 56, 60 and 61 respectively.

In claims 63-69 cancelled independent claim 38 has been merged with dependent claims 39-42, 44, 47 and 48, respectively; and in claims 70-76, cancelled independent claim 50 has been merged with dependent claims 51-54, 56, 60 and 61, respectively.

In view of the fact that the new claims are merely independent versions of the objected to claims, it is respectfully submitted that the new claims are in a condition for allowance.

Conclusion

In view of the above, Applicants respectfully submit the claims are now in a condition for allowance and request issuance of a Notice of Allowance thereof.

Respectfully submitted,

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